

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States District Court
Southern District of Texas
FILED

MAR 3 ~ 2003

In Re Enron Corporation, Securities, Derivative
& "ERISA" Litigation

Michael N. Milby, Clerk

MARK NEWBY, ET AL.,

Plaintiffs

Vs.

ENRON CORPORATION, ET AL.,

Defendants

PIRELLI ARMSTRONG TIRE
CORPORATION RETIREE MEDICAL
BENEFITS TRUST, Derivatively On Behalf of
ENRON CORPORATION, ET AL.,

Plaintiffs

Consolidated Civil Action Number:
H-01-3624

Vs.

KENNETH LAY, ET AL.,

Defendants

PAMELA M. TITTLE, on behalf of herself and a
class of persons similarly situated, ET AL.,

Plaintiffs

Judge: Melinda Harmon

Vs.

ENRON CORP., an Oregon Corporation, ET
AL.,

Defendants.

MOTION for CONTEMPT or ALTERNATIVELY to SHOW CAUSE

Comes now Plaintiff Robin D. Hosea, Pro Persona and member of the Severed Enron Employee Coalition (SEEC) Class, and moves the Court pursuant to Rule 7, Fed.R.Civ.P., for an order directing Plaintiffs' counsel George Whittenburg of Whittenburg Whittenburg & Schachter, Richard Hile and Martin Dies of Dies and Hile, Broadus Spivey of Spivey & Ainsworth, P.C., Scott Baena, of Bilsin Sumberg Dunn Baena Price & Axelrod LLP, and Randy McClanahan of McClanahan and Clearman LLP to appear and show cause why they should not be held in contempt (1) for conduct proscribed by Rules 1.01(a)(1) and (b)(2), 1.03, 1.05(c)(3), 1.06(a)(2),(c), 1.14 (a), 1.15(b)(1) and (d), 3.04(a), 8.04(a)(3) and (9) (and other applicable Rules) of the Texas Disciplinary Rules of Professional Conduct for attorneys, that undermines the integrity of this the proceedings before this Court and orderly disposition of the interests of the parties in the SEEC and consolidated class (2) for conduct that is and has been harmful to this movant as a SEEC class member and potential witness for the class, and (3) for conduct that is in fact or potentially harmful to the other members of the SEEC class.

Ms. Hosea further moves the Court for sanctions against the above named attorneys which may include (1) monetary sanctions for the financial damage to movant and to the class for damages to the class, (2) disqualification of named counsel and appointment of new counsel for the SEEC class and the consolidated class because of conflicts of interest that may be imputed to other counsel not named herein, and (3) any other relief or sanction that in this Honorable Court's discretion is deemed appropriate under the circumstances.

This Motion is supported by the attached Affidavit of Robin D. Hosea and the accompanying Exhibits, which are incorporated herein and made a part of this Motion by this reference.

WHEREFORE, Ms. Hosea respectfully prays:

- (a) That this motion be granted and that counsel be held in contempt or, alternatively, ordered to appear and Show Cause why they should not be held in contempt;
- (b) That counsel be sanctioned and disqualified in this matter; and
- (c) For other relief that the Court deems appropriate under the circumstances.

Dated this 3rd day of March 2003 and respectfully submitted,

Robin D. Hosea, Pro Persona

Robin D. Hosea
1406 Second Street
Seabrook, TX 77586
(281) 474-2433 (telephone and facsimile)

I hereby certify that the above Motion and the allegations contained therein, are true and accurate, and are based upon my knowledge and reasonable belief.

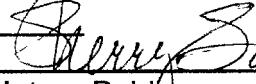
Robin D. Hosea, Pro Persona

Robin D. Hosea
1406 Second Street
Seabrook, TX 77586
(281) 474-2433 (telephone and facsimile)

United States of America :)
County of Harris)
State of Texas)

Before me, a Notary Public in and for the State of Texas, on this 3rd day of March, 2003, did appear Robin D. Hosea, who having provided proper identification did swear, affirm, and execute the above

document entitled Motion for Contempt or Alternatively to Show Cause,
consisting of 13 pages, including this attestation.


Notary Public



SHERRY SAVAGE
Notary Public, State of Texas
My Commission Expires Oct 17, 2005

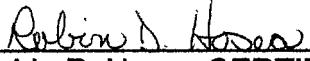
[stamp or seal]

My commission expires:

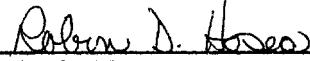
10-17-2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was sent to the following parties, in care of their respective counsel on the 26th day of February, 2003 by the means designated below:


Robin D. Hosea CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was sent to the following parties, in care of their respective counsel on the 26th day of February, 2003 by the means designated below:


Robin D. Hosea

| | |
|---|--|
| Barry Abrams VIA WEBSITE Abrams Scott & Bickley LLP 700 Louisiana, Suite 1800 Houston, Texas 77002 Phone: (713) 228-6601 FAX: (713) 228-6605 E-Mail: babrams@asbtexas.com Attorney for Barclays PLC | Steve W. Berman VIA WEBSITE Hagens Berman, LLP 1301 Fifth Avenue, Suite 2900 Seattle, Washington 98101 Phone: (206) 623-7292 FAX: (206) 623-0594 E-Mail: steve@hagens-berman.com Co-Lead Counsel for the Tittle Plaintiffs |
| Linda L. Addison VIA WEBSITE Fulbright & Jaworski LLP 1301 McKinney, Suite 5100 Houston, Texas 77010-3095 Phone: (713) 651-5628 FAX: (713) 651-5246 E-Mail: laddison@fulbright.com Attorney for The Northern Trust Company and Northern Trust Retirement Consulting LLC | David H. Braff VIA WEBSITE Sullivan & Cromwell 125 Broad Street New York, New York 10004 Phone: (212) 558-4000 FAX: (212) 558-3588 E-Mail: enronpapers@sullcrom.com Attorney for Barclays PLC |
| Joel M. Androphy VIA WEBSITE Berg & Androphy 3704 Travis Street Houston, Texas 77002 Phone: (713) 529-5622 | Robert Hayden Burns VIA WEBSITE Burns Wooley & Marseglia 1111 Bagby, Suite 4900 Houston, Texas 77002 Phone: (713) 651-0422 |

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| <p>FAX: (713) 529-3785 E-mail: androphy@bahou.com bklein@bahou.com gab@gabrielberg.com whoward@bahou.com Attorneys for Deutsche Bank AG</p> | <p>FAX: (713) 751-0817 (facsimile) E-Mail: hburns@bwmzlaw.com Attorneys for Defendant Kristina Mordaunt</p> |
| <p>James N. Benedict VIA WEBSITE Mark A. Kirsch James F. Moyle Clifford Chance Rogers & Wells, LLP 200 Park Avenue New York, New York 10166-0153 Phone: (212) 878-8000 FAX: (212) 878-8375 James.benedict@cliffordchance.com mark.kirsch@cliffordchance.com james.moyle@cliffordchance.com Attorneys for Alliance Capital Management</p> | <p>Lawrence Byrne VIA WEBSITE White & Case 1155 Avenue of the Americas New York, New York 10036-2787 Telephone: (212) 819-8200 FAX: (212) 354-8113 E-mail: lbyrne@whitecase.com opell@whitecase.com Lcroffoot-suede@whitecase.com tpfeifer@whitecase.com Attorneys for Deutsche Bank AG</p> |

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| <p>David L. Carden VIA WEBSITE Jones, Day, Reavis & Pogue 222 East 41st Street New York, NY 10017 Phone: (212) 326-3939 FAX: (212) 755-7306 E-mail: dlcarden@jonesday.com Attorney for Lehman Brothers Holdings Inc.</p> | <p>Anthony C. Epstein VIA WEBSITE Steptoe & Johnson LLP 1330 Connectivut Avenue, N.W. Washington, D.C. 20036 Phone: (202) 429-8065 FAX: (202) 261-7507 E-Mail: aepstein@steptoe.com Attorney for James Barnhart, Philip J. Bazelides, Keith Crane, William Gulyassy, Roderick Hayslett, Mary K. Joyce, Sheila Knudsen, Tod A. Lindholm, James S. Prentice, Mikie Rath, and David Shields</p> |
| <p>James E. Coleman, Jr. VIA WEBSITE Carrington, Coleman, Sloman & Blumenthal, LLP 200 Crescent Court, Suite 1500 Dallas, Texas 75201 Phone: (214) 855-3000 FAX: (214) 855-1333 E-Mail: deakin@ccsb.com Attorney for Kenneth Lay</p> | <p>G. Sean Jez VIA WEBSITE Fleming & Associates 1330 Post Oak Blvd., Suite 3030 Houston, Texas 77056 Phone: (713) 621-7944 FAX: (713) 621-9638 E-Mail: enron@fleming-law.com Attorney for Individual Plaintiffs</p> |
| <p>Ronald E. Cook VIA WEBSITE Cook & Roach, LLP Chevron Texaco Heritage Plaza 1111 Bagby, Suite 2650 Houston, Texas 77002 Phone: (713) 652-2031 FAX: (713) 652-2029 E-Mail: rcook@cookroach.com Attorney for Alliance Capital Management</p> | <p>Barry G. Flynn VIA WEBSITE Law Offices of Barry G. Flynn, P.C. 1300 Post Oak Blvd., Suite 750 Houston, Texas 77056 Phone: (713) 840-7474 FAX: (713) 840-0311 E-Mail: bgflaw@mywavenet.com Attorney for David Duncan</p> |
| <p>Jeremy L. Doyle VIA WEBSITE Gibbs & Bruns, L.L.P. 1100 Louisiana, Suite 5300 Houston, Texas 77002 Phone: (713) 650-8805 FAX: (713) 750-0903 E-Mail: jdoyle@gibbs-bruns.com Attorney for Robert Belfer, Norman Blake, Ronnie Chan, John Duncan, Joe Foy, Wendy Gramm, Robert Jaedicke, Charles LeMaistre, John Mendelsohn, Jerome Meyer, Paulo Ferraz Pereira, Frank Savage, Charles Walker, John Wakeham, Herbert Winokur</p> | <p>Roger E. Zuckerman VIA WEBSITE Deborah J. Jeffrey Zuckerman Spaeder LLP 1201 Connecticut Avenue, N.W. Washington, D.C. 20036-2638 Phone: (202) 778-1800 Fax: (202) 822-8106 E-mail: enron@zuckerman.com Attorneys for Lou Pai</p> |

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| <p>Mark A. Glasser VIA WEBSITE King & Spalding 1100 Louisiana, Suite 4000 Houston, Texas 77002 Phone: (713) 751-3200 FAX: (713) 751-3290 E-Mail: mkglasser@kslaw.com Attorney for LJM II Co.-Investment</p> | <p>Rusty Hardin VIA WEBSITE Rusty Hardin & Associates, P.C. 1201 Louisiana, Suite 3300 Houston, Texas 77002 Phone: (713) 652-9000 FAX: (713) 652-9800 E-Mail: rhardin@rustyhardin.com Attorney for Arthur Andersen LLP</p> |
| <p>H. Bruce Golden VIA WEBSITE Randall C. Owens Golden & Owens, LLP 1221 McKinney Street, Suite 3600 Houston, Texas 77010 Phone: (713) 223-2600 FAX: (713) 223-5002 E-Mail: golden@foldenowens.com Attorneys for John A. Urquhart and William Gathmann</p> | <p>Robin Harrison VIA WEBSITE Campbell, Harrison & Wright LLP 4000 Two Houston Center 909 Fannin Street Houston, Texas 77010 Phone: (713) 752-2332 FAX: (713) 752-2330 E-Mail: rharrison@chd-law.com Liaison Counsel for the Tittle Plaintiffs</p> |
| <p>Roger B. Greenberg VIA WEBSITE Schwartz, Junell, Campbell & Oathout 2000 Two Houston Center 909 Fannin Houston, Texas 77010 Phone: (713) 752-0017 FAX: (713) 752-0327 E-Mail: rgreenberg@schwartz-junell.com Attorney for the Regents of the University of California</p> | <p>Sharon Katz VIA WEBSITE Davis Polk & Wardwell 450 Lexington Avenue New York, NY 10017 Phone: (212) 450-4000 FAX: (212) 450-3633 E-Mail: andersen.courtapers@dpw.com Attorney for Arthur Andersen</p> |
| <p>Mark C. Hansen VIA WEBSITE Reid M. Figel Kellogg, Huber Hansen, Todd & Evans, PLLC 1615 M. Street, N.W., Suite 400 Washington, DC 20036 Phone: (202) 326-7900 FAX: (202) 326-7999 (facsimile) E-Mail: mhansen@khhte.com rfigel@khhte.com Attorney for Defendant Nancy Temple</p> | <p>Charles G. King VIA WEBSITE King & Pennington, LLP 711 Louisiana Street, Suite 3100 Houston, Texas 77002 Phone: (713) 225-8404 FAX: (713) 225-8488 E-Mail: cking@kandplaw.com Attorney for Goldman Sachs, Salomon Smith Barney, Banc of America Securities</p> |

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| <p>Jeffrey C. King VIA WEBSITE Hughes & Luce, L.L.P. 1717 Main Street, Suite 2800 Dallas, Texas 75201 Phone: (214) 939-5900 FAX: (214) 939-6100 E-Mail: kingj@hughesluce.com Attorney for Bruce Willison</p> | <p>Dr. Bonnee Linden, Pro Se VIA USPS Linden Collins Associates 1226 West Broadway P. O. Box 114 Hewlett, New York 11557 Phone: FAX: E-Mail: (SEND VIA MAIL PER DR. LINDEN)</p> |
| <p>Bernard V. Preziosi, Jr. VIA WEBSITE Curtis, Mallet-Prevost, Colt & Mosle, LLP 101 Park Avenue New York, NY 10178-0061 Phone: (212) 696-6000 FAX: (212) 697-1559 E-Mail: bpreziosi@cm-p.com Attorney for Defendant Michael C. Odom</p> | <p>Scott D. Lassetter VIA WEBSITE Weil Gotshal & Manges LLP 700 Louisiana, Suite 1600 Houston, Texas 77002 Phone: (713) 546-5000 FAX: (713) 224-9511 E-Mail: john.strasburger@weil.com Attorney for Enron Corporation</p> |
| <p>William H. Knull, III VIA WEBSITE Mayer, Brown, Rowe & Maw 700 Houston Street Houston, Texas 77002-2730 Phone: (713) 221-1651 FAX: (713) 224-6410 E-mail: cibc-newby@mayerbrownrowe.com Attorney for Canadian Imperial Bank of Commerce</p> | <p>James Marshall VIA WEBSITE 2540 Huntington Drive, Suite 201 San Marino, CA 91108-2601 Phone: (626) 287-4540 FAX: (626) 237-2003 E-Mail: marshall@attglobal.net Attorney for Wilt Plaintiffs</p> |
| <p>William S. Lerach VIA WEBSITE G. Paul Howes Helen J. Hodges Milberg Weiss Bershad Hynes & Lerach LLP 410 B. Street, Suite 1700 San Diego, CA 92101-3356 Phone: (619) 231-1058 FAX: (619) 231-7423 E-Mail: enron@milberg.com Attorneys for the Regents of the University of California and Lead Counsel for the Newby Plaintiffs</p> | <p>William F. Martson, Jr. VIA WEBSITE Tonkon Torp LLP 1600 Pioneer Tower 888 SW Fifth Avenue Portland, OR 97204 Phone: (503) 802-2005 FAX: (503) 972-3705 E-Mail: rick@tonkon.com Attorney for Ken L. Harrison</p> |

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| <p>John J. McKetta, III VIA WEBSITE Graves, Dougherty, Hearon & Moody, P.C. 515 Congress Avenue, Suite 2300 Austin, Texas 78701 Phone: (512) 480-5600 FAX: (512) 478-1976 E-Mail: mmcketta@gdhm.com Attorney for Rebecca Mark-Jusbasche</p> | <p>John L. Murchison, Jr. VIA WEBSITE Vinson & Elkins, L.L.P. 2300 First City Tower, 1001 Fannin Houston, Texas 77002 Phone: (713) 758-2222 FAX: (713) 758-2346 E-Mail: jmurchison@velaw.com</p> |
| <p>Robert C. Micheletto VIA WEBSITE Jones, Day, Reavis & Pogue 77 W. Wacker Drive, Ste. 3500 Chicago, IL 60601 Phone: (312) 782-3939 FAX: (312) 783-8585 E-mail: rmicheletto@jonesday.com Attorney for Lehman Brothers Holdings Inc.</p> | <p>Eric J.R. Nichols VIA WEBSITE Beck, Redden & Secrest 1221 McKinney, Suite 4500 Houston, Texas 77010-2010 Phone: (713) 951-3700 FAX: (713) 951-3720 E-Mail: enichols@brsfir.com Attorney for Michael J. Kopper, Chewco Investments, L.P. and LJM Cayman, L.P.</p> |
| <p>Richard Mithoff VIA WEBSITE Mithoff & Jacks One Allen Center, Penthouse 500 Dallas Houston, Texas 77002 Phone: (713) 654-1122 FAX: (713) 739-8085 E-mail: enronlitigation@mithoff-jacks.com Cgall@jenkens.com; t_rice@stblaw.com Attorneys for Defendant J.P. Morgan Chase & Co.</p> | <p>Jacks C. Nickens VIA WEBSITE Nickens, Keeton, Lawless, Farrell & Flack, LLP 600 Travis Street, Suite 7500 Houston, Texas 77002 Phone: (713) 571-9191 FAX: (713) 571-9652 E-Mail: trichardson@nlf-law.com Attorney for The Estate of J. Clifford Baxter, Deceased, Richard B. Buy, Richard A. Causey, Mark A. Frevert, Joseph M. Hirko, Stanley C. Horton, Steven J. Kean, Mark E. Koenig, Michael S. McConnell, Jeffrey McMahon, J. Mark Metts, Cindy K. Olson, Kenneth D. Rice, and Paula Ricker</p> |
| <p>Andrew J. Mytelka VIA WEBSITE David Le Blanc GREER, HERZ & ADAMS, L.L.P. One Moody Plaza, 18th Floor Galveston, Texas 77550 Phone: (409) 797-3200 FAX: (409) 766-6424 E-Mail: dleblanc@greerherz.com bnew@greerherz.com amytelka@greerherz.com swindsor@greerherz.com Attorney for American National Plaintiffs</p> | <p>Gary A. Orseck VIA WEBSITE Robbins, Russell, Englert Orseck & Untereiner LLP 1801 K. Street, N.W. Suite 411 Washington, DC 20006 Phone: (202) 775-4500 FAX: (202) 775-4510 (facsimile) E-Mail: gorseck@robbinsrussell.com Attorney for Defendant Michael Lowther</p> |

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| <p>Mark F. Pomerantz VIA WEBSITE</p> <p>Brad S. Karp Richard A. Rosen Michael E. Gertzman Claudia Hammerman Paul, Weiss, Rifkind, Wharton & Garrison 1285 Avenue of the Americas New York, New York 10019-6064 Phone: (212) 373-3000 FAX: (212) 373-3990 E-Mail: grp-citi-service@paulweiss.com Attorneys for Citigroup</p> | <p>Henry F. Schuelke, III VIA WEBSITE</p> <p>Robert Sutton Janis, Schuelke & Wechsler 1728 Massachusetts Ave., N.W. Washington, DC 20036 Phone: (202) 861-0600 FAX: (202) 223-7230 E-Mail: hsschuelke@janisschuelke.com rsutton@janisschuelke.com Attorney for Defendant Ben Glisan</p> |
| <p>Alan N. Salpeter VIA WEBSITE</p> <p>Michele L. Odorizzi Mark McLaughlin Andrew D. Campbell Mayer, Brown, Rowe & Maw 190 South LaSalle Street Chicago, Illinois 60603 Phone: (312) 782-0600 FAX: (312) 701-7711 E-mail: cibc-newby@mayerbrownrowe.com Attorneys for Canadian Imperial Bank of Commerce</p> | <p>Carolyn S. Schwartz VIA USPS</p> <p>United States Trustee, Region 2 33 Whitehall Street, Twenty-first Floor New York, NY 10004 Phone: (212) 510-0500 FAX: (212) 668-2255 (facsimile)</p> |
| <p>Lynn Lincoln Sarko VIA WEBSITE</p> <p>Keller Rohrback LLP 1201 Third Avenue, Suite 3200 Seattle, WA 98101-3052 Phone: (206) 623-1900 FAX: (206) 623-3384 E-Mail: lsarko@kellerrohrback.com Co-lead Counsel for the Tittle Plaintiffs</p> | <p>Jacalyn D. Scott VIA USPS</p> <p>Wilshire Scott & Dyer P.C. 3000 One Houston Center 1221 McKinney Houston, Texas 77001 Phone: (713) 651-1221 FAX: (713) 651-0020 E-mail: Attorneys for Citigroup, Inc. and Salomon Smith Barney, Inc.</p> |
| <p>Scott B. Schreiber VIA WEBSITE</p> <p>Arnold & Porter 555 Twelfth Street, N.W. Washington, DC 20004-1206 Phone: (202) 942-5000 FAX: (202) 942-5999 E-Mail: enroncourtapers@aporter.com Attorney for Defendant Thomas Bauer</p> | <p>Billy Shepherd VIA WEBSITE</p> <p>Cruse, Scott, Henderson & Allen, LLP 600 Travis Street, Suite 3900 Houston, Texas 77002-2910 Phone: (713) 650-6600 FAX: (713) 650-1720 E-Mail: bshepherd@crusescott.com Attorney for D. Stephen Goddard, Jr.</p> |

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| <p>Randy J. McClanahan VIA WEBSITE McClanahan & Clearman, L.L.P. 4100 Bank of America Center 700 Louisiana Houston, Texas 77002 Telephone: (713) 223-2005 FAX: (713) 223-2664 E-mail: randy@mcllp.com</p> | <p>Martin W. Dies, III VIA WEBSITE Richard C. Hile Dies & Hile, L.L.P. 1009 W. Green Avenue Orange, Texas 77630 Telephone: (409) 883-4394 FAX: (409) 883-4814 E-mail: Mwdies@aol.com rhile@swbell.net</p> |
| <p>Broadus A. Spivey VIA WEBSITE Spivey & Ainsworth, P.C. 48 East Avenue Austin, Texas 78701 Telephone: (512) 474-6061 FAX: (512) 474-1605 E-mail: bas@spain-attys.com</p> | <p>George Whittenburg VIA WEBSITE Whittenburg, Whittenburg, Schachter and Harris, P.C. P.O. Box 31718 1010 Harrison Amarillo, Texas 79120 Telephone: (806) 372-5700 FAX: (806) 372-5757 E-mail: gwhittenburg2@whittenburglaw.com</p> |
| <p>Scott L. Baena VIA WEBSITE Bilzin, Sumberg, Dunn, Baena, Price & Axelrod, L.L.P Wachovia Financial Center 200 South Biscayne Blvd. Suite 2500 Miami, Florida 33131 Telephone: (305) 374-7580 FAX: (305) 374-7593 E-mail: sbaena@bilzin.com</p> | |